



U.S. Department of Justice

*United States Attorney
Southern District of New York*

MEMO ENDORSED

The Silvio J. Mollo Building
One Saint Andrew's Plaza
New York, New York 10007

January 6, 2014

BY ELECTRONIC MAIL

The Honorable Thomas P. Griesa
United States District Judge
Southern District of New York
Daniel Patrick Moynihan United States Courthouse
500 Pearl Street
New York, New York 10007

USDC SDNY DOCUMENT ELECTRONICALLY FILED DOC #: DATE FILED: 1/7/14

Re: United States v. Richard Franco
12 Cr. 932 (TPG)

Dear Judge Griesa:

The Government respectfully submits this letter in reference to defendant Richard Franco, the last defendant remaining in the above-referenced matter. As the Court is aware, all twelve of Franco's co-defendants pled guilty in November and December of 2013. Franco himself had a guilty plea scheduled for December 18, 2013, which was canceled after Franco's attorney, Joshua Dratel, advised the Government that Franco needed additional time to think about the terms of the proposed plea agreement.

As the Court is also aware, trial is set to begin in this matter on Tuesday, January 21, 2014. Since December, the parties have been in continued discussions about a resolution without the need for trial. But given the holidays and counsel's respective holiday schedules, those discussions have experienced logistical delays over the last couple of weeks. The parties have, therefore, been unable to secure a final resolution, although we remain hopeful that a guilty plea will be the ultimate result in the case.

With this letter, the parties jointly request that the start date of the trial be adjourned by two weeks to February 3, 2014. As stated, both parties are presently focusing their energies on finalizing a guilty plea. The requested adjournment, therefore, will allow the parties to continue those efforts over the next week. And, should the contemplated guilty plea fall through, the requested adjournment will give the parties adequate time to prepare for trial. The Government has spoken with Jon Beale in Your

The Honorable Thomas P. Griesa
January 6, 2014
Page 2

Honor's chambers, and Mr. Beale advises that the Court could accommodate a trial start date of February 3, 2014.

Thank you for your consideration of this request.

Very truly yours,

PREET BHARARA
United States Attorney

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Andrew Bauer / Sarah Krissoff
Assistant United States Attorneys
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cc: Joshua Dratel, Esq.

Approved
Thomas P. Griesa
JSJ 1/7/14